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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Martin J. Jacobs et al.

Serial No.: 09/975,350

Group Art Unit: 1615

Filing Date: October 11, 2001

Examiner: Fubara, Blessing M.

For: COMPOSITIONS COMPRISING MODAFINIL COMPOUNDS

DATE OF DEPOSIT: June 17, 2003

I HEREBY CERTIFY THAT THIS PAPER IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

Patricia A. Sexton

PATRICIA A. SEXTON

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

TRANSMITTAL LETTER

Transmitted herewith for filing, please find:

- ☐ A Preliminary Amendment.
- ☐ Amendment / Reply
 - ☐ After Final
 - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Information Disclosure Statement.
 - ☐ Attached Form 1449.
 - ☐ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

RECEIVED

JUN 25 2003

CP215
TECH CENTER 1600/2900

- ☐ Certified Copy of Priority Documents
- ☐ Response to Missing Parts / Incomplete Application
- ☐ Response to Missing Parts under 37 C.F.R. 1.52 or 1.53
- ☐ Copy of Notice to File Missing Parts of Non-Provisional Application (Part 2)
- ☐ An ☐ Executed ☐ Unexecuted Declaration or Oath and Power of Attorney.
- ☐ Power of Attorney, Revocation
- ☐ Change of Correspondence Address
- ☐ An Associate Power of Attorney.
- ☐ Drawings(s)
- ☐ Formal ☐ Informal
- ☐ Licensing-related Papers
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ Signed Statement attached deleting inventor(s) named in the prior application.
- ☐ Assignment Papers (*for an application*)
- An ☐ Executed ☐ Copy of Executed Assignment of the Invention to _____
- ☐ A Recordation Form Cover Sheet.
- ☐ Recordation Fee - \$40.00.
- ☐ The prior application is assigned of record to _____
- ☐ Priority is claimed under 35 U.S.C. § 119 of Patent Application No. _____
- filed _____ in _____ (country).
- ☐ A Certified Copy of each of the above applications for which priority is claimed:
- ☐ is enclosed.
- ☐ has been filed in prior application Serial No. _____ filed _____.

- ☐ An ☐ Executed or ☐ Copy of Executed Earlier Statement Claiming Small Entity Status under 37 C.F.R. 1.9 and 1.27
- ☐ is enclosed.
- ☐ has been filed in prior application Serial No. _____ filed _____ ,
said status is still proper and desired in present case.

☐ Diskette Containing DNA/Amino Acid Sequence Information.

☐ Statement to Support Submission of DNA/Amino Acid Sequence Information.

☐ Petition

☐ Petition to Convert to a Provisional Application

☐ Petition to Accept Photographic Drawings.

☐ Petition Fee

☐ A copy of Petition for Extension of Time as filed in the prior case.

☐ Appended Material as follows: _____.

☒ Return Receipt Postcard (should be specifically itemized).

☐ Express Abandonment

☒ Other as follows:

Amendment and Petition to Correct Inventorship in a Non-Provisional Application (37 C.F.R. §1.48(a))

Statement of Inventor for Correction of Inventorship (37 C.F.R. §1.48)

Supplemental Declaration and Power of Attorney

Assent of Assignee to Correction of Inventorship (37 C.F.R. §1.48)


Statement Under 37 CFR 3.73(b)

Recorded Assignment attached

- ☐ A Check is enclosed in the amount of \$_____.
- ☒ The Commissioner is authorized to charge payment of the following fees and to refund any overpayment associated with this communication or during the pendency of this application to deposit account 03-1195. This sheet is provided in duplicate.
- ☒ The foregoing amount due.
- ☒ Any additional filing fees required.

SHOULD ANY DEFICIENCIES APPEAR with respect to this application, including deficiencies in payment of fees, missing parts of the application or otherwise, the United States Patent and Trademark Office is respectfully requested to promptly notify the undersigned.

Date: June 17, 2003



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